

PROB 12C
(7/93)

Report Date: October 28, 2013

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Eastern District of Washington

OCT 28 2013

SEAN F. McAVOY, CLERK DEPUTY
RICHLAND, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Daquon M. Howard

Case Number: 2:11CR02111-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge

Date of Original Sentence: March 15, 2012

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 30 months
TSR - 36 months **Type of Supervision:** Supervised Release

Date Supervision Commenced: August 14, 2013

Defense Attorney: Alex B. Hernandez, III **Date Supervision Expires:** August 13, 2016

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Standard Condition #3:</u> The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.</p> <p><u>Supporting Evidence:</u> On October 22, 2013, Mr. Howard was directed to contact this officer after he met with the Yakima Police Department. He called and left a message on this officer's cell phone on October 23, 2013. This officer attempted to contact Mr. Howard through his cell phone on October 23, 2013; October 24, 2013; and again on October 25, 2013, without success. This officer also attempted to contact the defendant through his home telephone number on October 25, 2013, and his girlfriend advised he was currently not at the residence, and she was not sure where he was, but she agreed to have him contact this officer.</p>
2	<p><u>Special Condition #18:</u> You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.</p>

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Supporting Evidence: Mr. Howard had a follow-up appointment with the local vendor on October 24, 2013. He failed to attend the appointment or did not call the provider to advise he would not be attending the appointment.

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Special Condition #19: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Howard submitted positive urine samples for illegal substances at the local vendor on the following dates: September 11, 2013, positive for cocaine, and Mr. Howard signed an admission form confirming he used cocaine, additionally, the sample was determined to be positive for cocaine by Alere Laboratories on September 19, 2013; on October 1, 2013, Mr. Howard tested positive for THC, and Mr. Howard signed an admission form confirming he used THC; and on October 23, 2013, that tested positive for THC, and Mr. Howard signed an admission form confirming he used THC. Also, Mr. Howard failed to provide random urine specimens on the following dates: September 25, 2013; October 9, 2013; and October 23, 2013.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10/20/2013

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- [] No Action
 The Issuance of a Warrant
[] The Issuance of a Summons
[] Other



Signature of Judicial Officer



Date